

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:18-MJ-423-BJ

BOBBY CAMPBELL (01)

JOINT MOTION TO EXTEND TIME TO INDICT

The government, joined by defendant Bobby Campbell, files this Joint Motion to Extend Time to Indict:

1. On July 16, 2018, a criminal complaint was filed against the defendant for Conspiracy to Possess with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. § 846 (21 U.S.C. § 841(a)(1) and (b)(1)(B)). He was taken into federal custody on July 19, and his initial appearance was held on the same day before this Court. The government moved to detain the defendant at his initial appearance. A detention and preliminary hearing were held simultaneously on July 24. The Court found that probable cause existed to believe that the defendant committed the charged offense, and that the defendant should be released on conditions pending further proceedings.
2. Under the Speedy Trial Act, an indictment must be returned on the instant charge within thirty days from the date on which such [defendant] was arrested . . . in connection with such charges. 18 U.S.C. § 3161(b).
3. The parties request the Court to extend the time in which an indictment must be returned until September 20, 2018.

This would be an extension of approximately 32 days. The 30th day would fall on or about August 19, 2018, not counting excludable time under 18 U.S.C. § 3161(h).


4. The reasons for the request are set forth below:
 - a. The parties are in the process of discovery and plea negotiations. This process will likely impact the charges presented to the grand jury.
 - b. Granting an extension of time to indict would be in the interest of judicial economy. If the thirty-day time period is extended, it is possible that a plea agreement can be reached, thus negating the need to indict.
5. The parties believe that such an extension would serve the ends of justice and outweigh the best interest of the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

The parties submit that the request is not made in an effort to unduly delay the proceedings; but rather to insure that justice is achieved.
6. Both the government and the defendant join in this request.

Respectfully submitted,

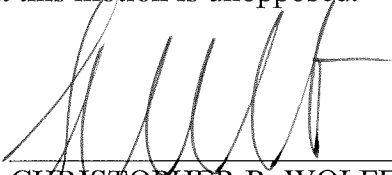
ERIN NEALY COX
UNITED STATES ATTORNEY

See


CHRISTOPHER R. WOLFE
Assistant United States Attorney
Texas State Bar No. 24008294
Burnett Plaza, Suite 1700
801 Cherry Street, Unit #4
Fort Worth, Texas 76102
Telephone: 817-252-5200
Fax: 817-252-5455

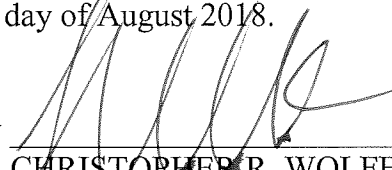
CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Vincent Wisely, counsel for defendant and he communicated on behalf of his client that this motion is unopposed.

for 
CHRISTOPHER R. WOLFE
Assistant United States Attorney


CERTIFICATE OF SERVICE


I certify that a true and correct copy of the above pleading was served upon counsel for the defendant in accordance with the provisions of Rule 49 of the Federal Rules of Criminal Procedure on the 3 day of August 2018.

for 
CHRISTOPHER R. WOLFE
Assistant United States Attorney

CONCURRENCE BY DEFENDANT

I, Bobby Campbell, having been informed of my right to be indicted within 30 days of the filing of the Criminal Complaint and after consultation with my attorney, knowingly and voluntarily waive my right to be indicted within 30 days of the filing of the Criminal Complaint, join in this motion, and request that the Court grant the extension of time to indict pursuant to 18 U.S.C. § 3161.


BOBBY CAMPBELL
Defendant


VINCENT WISELY
Attorney for Defendant